

26-28-104 Who may make anatomical gift before donor's death.

Subject to Section 26-28-108, an anatomical gift of a donor's body or part may be made during the life of the donor for the purpose of transplantation, therapy, research, or education in the manner provided in Section 26-28-105 by:

- (1) the donor, if the donor is an adult or if the donor is a minor and is:
 - (a) emancipated; or
 - (b) authorized under state law to apply for a driver license because the donor is at least 15 years of age;
- (2) an agent of the donor, unless the power of attorney for health care or other record prohibits the agent from making an anatomical gift;
- (3) a parent of the donor, if the donor is an unemancipated minor; or
- (4) the donor's guardian.

Enacted by Chapter 60, 2007 General Session